

Juvenile Justice Advisory Board



2015-2016 Annual Report

October 1, 2015-September 30, 2016

In Collaboration:

The Juvenile Justice Advisory Board

The Department of Juvenile Justice
1025 Capital Center Drive, 3rd Floor
Frankfort, KY 40601

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Letter to the Governor

Governor Bevin,

It is my honor to present to you and the Kentucky General Assembly, the Juvenile Justice Advisory Boards' 2015-2016 annual report.

The Juvenile Justice Advisory Board is the Commonwealth's federally mandated group charged with reviewing Kentucky's juvenile justice system, laws, monitoring Kentucky's juvenile correctional institutions, and provide recommendations aimed at improving the Commonwealth's juvenile justice system.

This is a comprehensive document, which details the efforts of many people dedicated to improving the lives of young people across the Commonwealth. The U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, fund the programming and compliance monitoring activities included in the report. The Kentucky Department of Juvenile Justice is the federally designated agency, which oversees all activities.

While we recognize there is still much work to do, the JJAB is very proud of the accomplishments made in 2015-2016, and looks forward to the continued partnership with the Governor, the legislature, and juvenile justice agencies across Kentucky.

I invite you to read the 2015-2016 Annual Report to learn more about the progress to improve the lives of Kentucky's youth.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jay Miller", with a stylized flourish at the end.

Dr. Justin "Jay" Miller, JJAB Chair

Mission and Vision Statements

Mission

The Juvenile Justice Advisory Board is committed to enhancing the quality of life for all youth in the Commonwealth by actively advising the Governor, policymakers and the public on matters related to improving system of care, enhancing interagency community collaboration, and promoting effective programming necessary to serve the whole child.

Vision Statement

The Juvenile Justice Advisory Board aspires to make a difference in the lives of Kentucky youth and their families by being the voice of youth.

The Juvenile Justice and Delinquency Prevention Act

Established in 1974, and most recently reauthorized in 2002, the Juvenile Justice and Delinquency Prevention Act (JJDPA) embodies a partnership between the U.S. federal government and the states and territories to protect children and youth in the juvenile and criminal justice system, adequately address delinquent behaviors and improve community safety by prevention juvenile crime and delinquency.

The Juvenile Justice and Delinquency Prevention Act's goals are to prevent and reduce juvenile delinquency and improve the juvenile justice system, by ensuring appropriate sanctions and services, due process, proper treatment and safe confinement for juveniles who are involved in the juvenile justice system.

The JJDPA provides for:

- A U.S. National juvenile justice planning and advisory system in all states, territories, and the District of Columbia;
- Federal Funding for delinquency prevention and improvements in state and local juvenile justice programs; and
- Operation of a federal agency – the Office of Juvenile Justice and Delinquency Prevention (OJJDP) – dedicated to training, technical assistance, model programs, and research and evaluation to support state and local efforts.

Under the JJDPA, each state must have a State Advisory Group on juvenile justice (SAG), submit a Three-Year State Plan for carrying out the purpose of the Act, and implement the Act's Four Core Requirements/Protections at the state and local level. The Four Core Requirements are:

- **Deinstitutionalization of Status Offenders (DSO)**

Status Offenses are charges that only juveniles can receive and would not be considered criminal if committed by an adult. The most common status offenses include truancy, running away, and beyond control.

Federal guidelines require that states do not place adjudicated status offenders in secure detention or secure correctional facility, apart from those permitted by statutory and regulatory exceptions as allowed by the JJDPA. Violations occur when accused status offenders are held in secure juvenile detention centers for more than 24 hours, excluding weekends and holidays; and when adjudicated status offenders are held for any length of time either in the these facilitates or any adult jail or municipal lock up.

➤ **Sight and Sound Separation of Juvenile and Adult Offenders**

Federal regulations prohibit the detainment of any juvenile in any facility in which they have contact with adult inmates. Kentucky Revised Statute 610.220 states: Any child held in custody shall be sight and sound separated from any adult prisoners held in secure custody at the same location.

➤ **Jail Removal**

Kentucky law prohibits the placement of any juvenile offender in adult jail facilities (KRS 640.030) and also imposes a stricter time limit than that of the JJDPa for the holding of a juvenile in adult lockup facilities (police and sheriff's departments); regardless of custody level (KRS 610.220).

➤ **Disproportionate Minority Contact (DMC)**

Federal guidelines require that states maintain delinquency prevention programs and system improvement efforts that are designed to reduce the disproportionate number of juvenile minority groups who come into contact with the juvenile justice system.

2015 Title II Formula Grants Funding

Each year, Kentucky applies for Title II Formula Grant Funding, which is presented in a three-year award. Funds are used to support sub-grantees, systems improvement, training, travel, DMC efforts, and costs related to the SAG.

The funds from 2015 listed below were awarded to be spent over a three-year period:

Delinquency Prevention		\$300,000.00
Disproportionate Minority Contact		\$103,888.00
Planning and Administration		\$6,000.00
System Improvement		\$89,552.00
State Advisory Group Allocation		\$20,000.00
Totals		\$519,440.00

In addition, funds from the Title II 2014 award continue to be utilized as part of the Alternatives to Detention sub-grantee awards. Information about those sub-grantees will be discussed later in the report.

Juvenile Accountability Block Grant (JABG)

The Juvenile Accountability Block grant (JABG) program is administered by the State Relations and Assistance Division of the OJJDP. Congress authorized the JABG program in 1997. Through the JABG program, funds are provided as block grants to states for programs promoting greater accountability in the juvenile justice system. JABG grant funding guidelines require KYDJJ to pass through a percent of funds to local jurisdictions to implement accountability-based programs and services. Pass through allocations are based on the localities law enforcement expenditures and the number of violent crimes.

In 2015, KYDJJ awarded funding to two (2) agencies:

Louisville: \$31,725.00

Funding was awarded to support overtime for police officers to partner with the Juvenile Intensive Supervision Team (JIST) community workers to conduct probation visits.

Lexington: \$16,183.00

Funding was awarded to help support the Lexington's Division of Youth Services Suspension Alternative Program.

JABG 2013 Award Amounts:

Program Title	Federal Share	Match	Total Funds
Administration	\$12,515.00	\$1,390.00	\$13,905.00
Pass Through	\$47,908.00	\$5,323.00	\$53,231.00
State Agency	\$25,000.00	\$2,778.00	\$27,778.00
Department of Juvenile Justice Projects	\$164,870.00	\$18,319.00	\$183,189.00
Totals	\$250,293.00	\$27,810.00	\$278,103.00

Compliance Monitor

The Compliance Monitor, an employee of the KYDJJ, is responsible for ensuring that policies and procedures are in place in Kentucky to maintain compliance with the JJDPA. This includes on-site inspection of all detention centers and holding facilities in the state. The inspection ensures compliance with all state and federal statutes and regulations currently in place.

Fiscal Year 2015 (January 1, 2015-September 30, 2015) Summary Report

DSO	
DSO Summary	
Calculated total number of DSO violations.	23
Rate of non-compliance with DSO per 100,000 juvenile population.	2.28
Rate of non-compliance with DSO per 100,000 juvenile population adjusting for non-reporting facilities.	2.28
Separation	
Sight and Sound Separation Summary	
Total number of facilities in which juveniles were detained or confined without sight and sound separation from adult inmates	0
Total number of Juvenile Offenders and Non-Offenders not sight and sound separated from adult inmates in Secure Detention and Correctional Facilities, Adult Jails, Courthouses and Lockups	0
Total number of Juvenile Offenders and Non-Offenders not sight and sound separated from adult inmates in Secure Detention and Correctional Facilities, Adult Jails, and Lockups adjusting for non-reporting facilities and annualizing	0.00
Jail Removal	
Jail Removal Summary	
Total instances of non-compliance with the Jail removal requirement as a result of juveniles detained or confined in Adult Jails and Lockups	16
Total instances of non-compliance with the Jail removal requirement as a result of juveniles detained or confined in Adult Jails and Lockups adjusting for non-reporting facilities	16.00
Rate of jail removal instances per 100,000 juvenile population at and under the age of juvenile court jurisdiction	1.59
Rate of jail removal instances per 100,000 juvenile population at and under the age of juvenile court jurisdiction adjusting for non-reporting facilities	1.59

Summary of DSO Violations:

20: Calculated total number of status offenders placed in Secure Detention or Secure Correctional Facilities resulting in instances of non-compliance with DSO (less statutory exceptions).

Location of Violations: Lincoln Village RJDC (2), Warren RJDC (2), Campbell RJDC (5), McCracken RJDC (11)

3: Number of non-offenders who are aliens or who were alleged to be dependent, neglected, or abused, who were placed in secure detention or secure correctional facilities not pursuant to a valid court order.

Location of Violations: Warren RJDC (1), Campbell RJDC (2)

23 Total DSO Violations**Summary of Jail Removal Violations:**

2: Number of juveniles accused of delinquent offenses detained in Adult Jails and Lockups in excess of 6 hours, and not pursuant to a valid use of the Removal (rural) Exception.

Location of Violations: Richmond PD (2)

14: Number of accused or adjudicated status offenders detained or confined for any length of time in Adult Jails or Lockups

Location of Violations: Owensboro PD (6), Corbin PD (2), Hopkinsville PD (2), Boone County Sheriff (1), Erlanger PD (2), Newport PD (1)

16 Total Jail Removal Violations

Disproportionate Minority Contact (DMC)

The Disproportionate Minority Contact (DMC) Coordinator, an employee of KYDJJ is responsible for the administration of the portion of federal funding through Title II formula grant that focuses on DMC. Kentucky, as mandated by the Juvenile Justice and Delinquency Prevention Act (JJDP) and a recipient of the Office of Justice Program's (OJP) Office of Juvenile Justice and Delinquency Prevention (OJJDP) formula grant funds, is addressing the DMC core requirement through the guidelines set forth in the Formula Grants Consolidation Regulations 28 CFR Part§ 31.303 (j)-(k); utilizing the recommended DMC Reduction Cycle (OJJDP, 2009); addressing DMC continually through identification (identifying the extent to which DMC exists), assessment (examining and determining the factors that contribute to DMC, if it exists), interventions (developing and implementing strategies to reduce DMC), evaluation (evaluating the efficacy of implemented strategies), and monitoring (tracking changes in DMC trends over time).

Disproportionate Minority Contact (DMC) exists if the rate of contact with the juvenile justice system for a specific minority group is significantly different than the rate of contact for non-Hispanic whites or other minority groups. The intent of the DMC core requirement, as it relates to juvenile justice, is to ensure that equal and fair treatment is provided to all youth throughout the juvenile justice continuum, regardless of their racial and/or ethnic status.

Juvenile Justice Advisory Board

The Juvenile Justice Advisory Board (JJAB) is committed to enhancing the quality of life for all youth in the Commonwealth by actively advising the Governor, policy makers, and the public on matters related to improving system of care, enhancing interagency collaboration, and promoting effective programming necessary to serve the whole youth.

The JJAB structure has several subcommittees that drive the work of the entire board to efficiently and effectively address specific issues pertinent to the Board's overall mission. Subcommittees are made up of JJAB members as well as non-board members to allow non-members to have input into issues being addressed by the JJAB.

The JJAB subcommittees are:

Executive	Outreach and Networking
Compliance	Capacity Building
Nominating	Subcommittee of Kentucky Youth (SKY)
Advocacy	Subcommittee for Equity and Justice for All Youth (SEJAY)
Information and Data	Resource Management

Executive Subcommittee

The Executive Subcommittee is made up of the Chair and Vice-Chair of the board and the Chairs of each subcommittee. The subcommittee reviews action plans, reviews proposed state and federal legislation, develops JJAB activities, programs and policies, recommends special subcommittees or task forces and sets the level of decision-making authority for any special subcommittee or task force created. The subcommittee creates the overall policy for subcommittees and task forces, and hears and disposes of internal appeals from actions taken by any standing or special subcommittee.

Compliance Subcommittee

The Compliance Subcommittee assists in ensuring Kentucky maintains compliance with the Juvenile Justice and Delinquency Prevention Act (JJDPA) requirements for jail removal and sight and sound separation.

Nominating Subcommittee

The Nominating Subcommittee keeps an updated record of the current members of the JJAB along with the category of members mandated by statute. They identify and recommend potential candidates for appointment by the Governor as member's terms expire. The subcommittee also prepares the ballot for Chair and Vice-Chair as needed.

Advocacy Subcommittee

The Advocacy Subcommittee advocates for a reduction in the incarceration of low level public offenders, for expansion of prevention programs, and for using the least intrusive method when diverting youth from detention.

Information and Data Subcommittee

The Information and Data Subcommittee advises legislators and state agencies on the development of a system of information and data sharing to coordinate services and treatment for youth and families.

Outreach and Networking Subcommittee

The Outreach and Networking subcommittee works to enhance collaboration with federal, state, and local agencies and stakeholders, to Increase public awareness through the use of social media and public relationship regarding issues of juvenile justice, and to advocate for change across Kentucky.

Outreach and Networking was very active in 2015. They worked to increase the visibility of the board, worked with the Juvenile Justice Specialist to create a new JJAB Logo, and had vendor tables at conference, and creating new partnerships, and creating a

Capacity Building Subcommittee

The purpose of the Capacity Building Subcommittee is to provide training on effective juvenile justice practice to enhance competencies and effectiveness of juvenile justice constituents.

Throughout 2015, the subcommittee worked to identify and develop pilot education and training modules.

Subcommittee of Kentucky Youth (SKY)



The Subcommittee of Kentucky Youth (SKY) unites youth across the state in an effort to advise the JJAB on issues concerning youth. The SKY works to strengthen the image of youth by encouraging and empowering youth in their educational endeavors and future goals; providing opportunities for the youth of Kentucky to develop leadership skills through service and advocacy.

SKY was very active in 2015. Members created an informational brochure, and the subcommittee was represented at several conferences through vendor tables, attended the Coalition of Juvenile Justice Annual Youth Conference in DC, attended the CJJ Annual Conference in DC, attended several other statewide conferences, sponsored families to attend a Parent/Youth Conference, an elementary school career fair, career services, spoke with students at colleges about opportunities to become involved, created the Kentucky Spirit of Youth Award process, created social medial accounts to highlight board members and activities, and partnerships. Additionally, in September, SKY hosted a conference in Erlanger, Kentucky.

The Subcommittee for Equality and Justice for all Youth (SEJAY)



The Subcommittee for Equality and Justice for all Youth (SEJAY) advises the JJAB and the general public of the Commonwealth on the issue of disproportionate minority contact (DMC) in the juvenile justice system. The primary focus of DMC is disparities among minority youth groups which may include, but are not limited to: race, sex, national origin, religion, income, and mental or physical abilities.

The SEJAY also serves to:

- ✓ Advocate for the full implementation of the Juvenile Justice and Delinquency Prevention Act, especially the fourth core requirement.
- ✓ Develop policy and funding recommendations relating to this issue.
- ✓ Support efforts to improve the quality of juvenile justice for all Kentucky youth.

Resource Management Subcommittee

The Grants Subcommittee assists in the development and implementation of the sub-grantee process and makes recommendations for sub-grantee awards. In 2015, the board decided to shift focus from Alternatives to Detention to Prevention to align work with Senate Bill 200. However, due to the way the funding is received, ATD's and prevention grant funding was awarded in 2015.

The Alternative to Detention funding stream allowed funding to three agencies to provide alternatives to detention services. The sub-grantees were: NECCO, Mary Kendall, and the Methodist Home of Kentucky, Inc.

Also in 2015, the Grants Committee submitted a Request for Proposal (RFP) for Prevention funds. \$300,000 were earmarked for programs that provided prevention services to youth ages 10-14 years old.

NECCO: \$22,500.00

NECCO provided services to the Boyd catchment area. In 2015, they served 17 youth through the program.

"Thanks [case manager] for helping me get my son back...I have my son back to the way he once was, and that is a loving, caring person"

Mary Kendall: \$22,500.00

The Mary Kendall Home grant program serves Barren, Daviess, Hopkins, Logan, Todd, and Warren Counties. In 2015, Mary Kendall served a total of 25 clients during the grant cycle.

I am glad I got {put} on the ankle monitor....it has kept me out of a lot of trouble...it teaches you to stay out of trouble..."

- Daniel H.

The Methodist Home of Kentucky, Inc.: \$202,500.00

The Methodist Home of KY, Versailles Campus, provided Alternative to Detention Services in 92 counties across Kentucky. In 2015, The Methodist Home served 299 unduplicated youth through the grant cycle.

"We are so appreciative so appreciative of the home detention program...It is a great benefit to us and we have seen a direct impact this program has on the individuals it serves"

Sub-grantee Awards Alternatives to Detention


In 2015, the JJAB awarded three sub-grantees to provide Alternatives to detention, in the form of electronic monitoring. The sub-grantees were NECCO, Mary Kendall Home, and The Methodist Home, Inc.

In addition to providing the electronic monitoring, the programs provided case management services to the youth and families. Case management services assess the needs of the youth, help them set goals, and connect them to the resources they need to succeed. Case managers provide individualized, culturally responsive and relationship-based services that include, but are not limited to:

1. advocacy;
2. information and referral services;
3. service connection and coordination;
4. assistance with navigating the school, court, social service and employment and training systems;
5. home visits;
6. case monitoring and documentation

Case Managers maintain daily telephone contact with each youth and weekly face to face contact. By providing case management services, the following outcomes were noted:

- reduced criminal involvement and behavior,
- improved school success,
- increased involvement in pro-social activities,
- increased employability skills,
- engagement in treatment,
- improved housing stability; and
- improved family functioning.



"The home detention program is effective on so many levels. It affords youth the opportunity to remain in their home community while participating in the resources available to them. The community benefits financially both in the immediate and in the future when the youth becomes a produced citizen in their community rather than a liability"



In 2015, between all three sub-grantees, 341 youth were served through Alternatives to Detention/Electronic Monitoring Program. Out of the 341 youth, 299 (88%) completed the program successfully.

Below is a break down of all youth served.

Table 1 - Ages

AGE	NECCO	Mary Kendall	Methodist Home
12	0 (0%)	1 (4%)	5 (2%)
13	1 (5%)	0 (0%)	14 (5%)
14	2 (11%)	1 (4%)	36 (12%)
15	0 (0%)	6 (24%)	58 (19%)
16	7 (41%)	5 (20%)	90 (30%)
17	7 (41%)	12 (48%)	96 (32%)
18	2 (11%)	0 (0%)	0 (0%)

Table 2 – Gender

GENDER	NECCO	Mary Kendall	Methodist Home
Male	13 (76%)	21 (84%)	207 (69%)
Female	4 (24%)	4 (16%)	92 (31%)

Table 3 – Race/Ethnicity

RACE / ETHNICITY	NECCO	Mary Kendall	Methodist Home
African American	1 (6%)	5 (20%)	15 (5%)
Bi-Racial	0 (0%)	8 (32%)	8 (3%)
Caucasian	16 (94%)	11 (44%)	257 (86%)
Hispanic	0 (0%)	1 (4%)	19 (6%)

Table 4 – Type of Offense

TYPE OF OFFENSE	NECCO	Mary Kendall	Methodist Home
Status Offender	5 (29%)	1 (4%)	97 (32%)
Public Offender	11 (65%)	24 (96%)	202 (68%)
Youthful Offender	0 (0%)	0 (0%)	0 (0%)

Table 5 - Outcome

OUTCOME	NECCO	Mary Kendall	Methodist Home
Successfully Completed	14 (82%)	23 (92 %)	263 (88%)
Unsuccessful Completion	3 (18%)	2 (8%)	36 (12%)
New Offense while in the program	0 (0%)	0 (0%)	26 (11%)
Ave. length of Stay	58.5 days	23.52 days	36 days

Sub-grantees

Looking Ahead to Prevention in 2016

In 2015, the JJAB allotted \$300,000 for programs with a prevention focus for the funding year of 2016. The funds were earmarked for public and private non-profit organizations, city or county governments for direct service programs that work to with males and/or females ages 10-14 to reduce incarceration of low level public and status offenders, for expansion of prevention programs and restorative justice programs. In 2016, applications will be accepted for competitive review to support collaborative, community-based delinquency prevention efforts designed to keep at-risk youth and first-time, non-serious offenders from entering the juvenile justice system. Funds are administered through sub-grants to units of local government and/or nonprofit organizations.

Prevention funding grantees programs will be active from October 1, 2016-September 30, 2017.

Recommendations

The Juvenile Justice Advisory Board makes the following recommendations for 2015:

Status Offenders:

- ☐ Continue to implement systems changes resulting from Senate Bill 200 to reduce the number of status offenders coming into contact with the juvenile justice system.
- ☐ Focus efforts on preventative measures to decrease the number of status offenders.

Disproportionate Minority Contact:

- ☐ Develop standard and consistent race categories across all state data systems and other Kentucky Youth Serving Agencies.

Youth Engagement/Support:

- ☐ Require all youth serving agencies to provide educational programs, materials or counseling session to youth exiting the system about the process of expunging juvenile records.
- ☐ Develop a statewide plan to address school engagement for youth and families who are at risk of becoming or are currently involved in the juvenile justice system through the coordinated services that provide support to students and families and promote student success.

Data Collection/Sharing:

- ☐ Develop a statewide integrated information system for all youth serving agencies, which employs unique identifiers for each Kentucky youth.

Membership

Members of the JJAB are appointed by the Governor. The board shall contain no more than 33 members. A majority of the members cannot be full-time employees of any federal, state, or local government and at least one-fifth must be under the age of twenty-four when appointed. The JJAB is chaired by a non-governmental employee elected by the Board. Positions are mandated by KRS 15A.065

Dr. Justin "Jay" Miller, Chair	Youth Advocate
Emmaleigh Barnes	Youth Member
Rachel Bingham	Administrative Office of the Courts
Mary Lou Cutter	Parent Advocate
Ben Deaton	Youth Member
Robert Douglas	Youth Advocate
Glenda Edwards	Department of Public Advocacy
Preston Elrod	Youth Advocate
Michelle Kilgore	Department for Behavioral Health
Chelsea Harl	Youth Member
Marty Lanus	Youth Advocate
Jacinda Lewis	Youth Advocate
Edward Palmer	Youth Advocate
Hon. Beth Maze	Circuit Judge
Nancy Pfaadt	Youth Advocate
Jan'a Prater	Youth Advocate
Sam Marra	Youth Advocate
Amy Hale Milliken	County Attorney
Kaye Jones Templin	Youth Advocate
Kimberly Shumate	District Judge
Christina Weeter	Kentucky Dept. of Education Employee
Gerina Weathers	Attorney General's Office

Kentucky Department of Juvenile

Each state is required to have an administrative agency responsible for coordinating the efforts between the federal work and the states work. In Kentucky, the Kentucky Department of Juvenile Justice (KYDJJ) is the designated agency named to administer the Title II Formula Grants Program. As the designated agency, KYDJJ is responsible for submitting the annual application for funding to OJJDP.

Department of Juvenile Justice Grants Management Staff

Kristie Stutler – Director, Division of Program Services

Stephanie Reynolds – Federal Program Coordinator

Jennifer Withrow - Juvenile Justice Specialist

Tracy Barnes – Financial Officer

Sara Redfield - Compliance Monitor

Elizabeth Jenkins - DMC Specialist

Stephanie Bone, JABG Coordinator

Pam Blevins, Financial Officer